

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2015-112931-003 DT

02/22/2016

HONORABLE DANIELLE J. VIOLA

CLERK OF THE COURT
C. Machado/D. McGraw
Deputy

STATE OF ARIZONA

JORDYN R RAIMONDO

v.

JOSE GUADALUPE GONZALEZ (003)
DOB: 6/2/1982

LAUREL A WORKMAN

APO-SENTENCINGS-CCC
APPEALS-CCC
AZ DOC
DISPOSITION CLERK-CSC
RFR

SENTENCE - IMPRISONMENT AND PROBATION

10:23 a.m. This is the time set for sentencing.

Courtroom 7A - South Court Tower

State's Attorney:	Patricia Stevens for Jordyn Raimondo
Defendant's Attorney:	Laurel Workman
Defendant:	Present

Court Reporter, Lori Thielmann, is present.

A record of the proceeding is also made by audio and/or videotape.

Count(s) 7 and 11: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

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OFFENSE: Count 7 (as amended) Conspiracy To Commit Armed Robbery
Class 2 Felony With One Prior Felony Conviction

A.R.S. § 13-1003, 13-1901, 13-1902, 13-1904, 13-701, 13-703 and 13-801

Date of Offense: On or between March 17, 2015 and March 19, 2015

Non Dangerous - Non Repetitive

OFFENSE: Count 11 Assisting A Criminal Street Gang
Class 3 Felony

A.R.S. § 13-2301, 13-23221, 13-701, 13-702 and 13-801

Date of Offense: March 19, 2015

Non Dangerous - Non Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 7: 10 year(s) from February 22, 2016

Presentence Incarceration Credit: 340 day(s)

Aggravated

Sentence is concurrent with CR2008-140370-001.

Pursuant to A.R.S. § 13-703 or 13-704, the Court finds that the Defendant has been convicted of the following prior felony offenses:

Participating in a Criminal Street Gang, a class 2 felony committed on January 21, 2008 and convicted on September 16, 2008 in CR2008-140370-001.

The Defendant was represented by counsel.

Community Supervision: Count 7 - Waived pursuant to A.R.S. § 13-603(K), due to the term of probation in Count 11.

Defendant shall forfeit all interest in any weapon(s) and/or ammunition seized to the State.

In the event the Defendant is released by the Department of Corrections on a temporary release basis, and a term of Community Supervision has been waived, the length of probation shall be extended to include the time of Defendant's temporary release, pursuant to A.R.S. §13-901(B).

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The Court is suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), placing the Defendant on probation for:

Upon physical release from prison pursuant to A.R.S. §13-603(K). Count 11: For a period of 3 years.

Conditions of probation include the following:

Condition 5: If deported or processed through voluntary departure, will not return to the United States without legal authorization during the term of probation, and all conditions remain in effect.

Condition 6: Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

Condition 8: Request and obtain written permission of the APD prior to leaving the state.

Condition 15: Restitution, Fines and Fees:

PROBATION SERVICE FEE: Count 11 - \$65.00 per month.

PROBATION ASSESSMENT: Count 11 - \$20.00.

Payment shall begin the first day of the fourth month upon release from prison.

All amounts payable through the Clerk of the Superior Court.

The Court will retain jurisdiction over restitution. No hearing is set at this time. In the event a restitution hearing is set, Defendant waives his/her presence.

The Arizona Department of Corrections shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody via e-mail cforeponse@mail.maricopa.gov. The Clerk of the Court, upon said notification, shall furnish financial information for a Criminal Restitution Order for Judicial signature for any unpaid monies to date.

Condition 16: Not consume or possess any substances containing alcohol.

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Defendant shall forfeit all interest in any weapon(s) and/or ammunition seized to the State.

Condition 21: Abide by the special conditions of probation as noted on the attachment to the Uniform Conditions of Supervised Probation as follows:

Gang

IT IS FURTHER ORDERED that Defendant shall submit to fingerprint identification processing by the Maricopa County Sheriff's Office if directed to do so by the Adult Probation Department. The Adult Probation Department shall direct any Defendant placed on probation who has not already had a State Identification Number (SID) established to submit to fingerprint processing.

Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.
2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

IT IS ORDERED granting the Motion to Dismiss the following: Counts 8 and 9, the allegation of Defendant's prior felony convictions and the allegation of probation.

Count(s) 7: IT IS ORDERED authorizing the Maricopa County Sheriff to deliver Defendant to the Arizona Department of Corrections.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

Count(s) 11: IT IS FURTHER ORDERED Defendant be released from custody for this count only.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes in accordance with A.R.S. §13-610.

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10:36 a.m. Matter concludes.

IT IS ORDERED that defense counsel shall preserve defendant's file for post-conviction relief purposes. If defense counsel receives notice that defendant is seeking post-conviction relief, counsel shall prepare the file for delivery to PCR counsel and shall make timely arrangements for the exchange thereof when notified. Further, upon exchange of the file, defense counsel shall file with the court a Notice of Compliance that shall, at a minimum, include date of compliance, recipient of the file, and an itemization of contents of the file. A copy of the Notice shall be provided to PCR counsel, the State and the PCR Unit.

ISSUED: Order of Confinement - Certified Copy to DOC via MCSO

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ HONORABLE DANIELLE J. VIOLA
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)